

Guideline to complete supplier's declarations of MAN Energy Solutions SE

In order to comply with legal requirements regarding the international supply chain, MAN Energy Solutions SE requires information from its suppliers.

We ask you as our supplier to provide this information via the attached form. Some background information and explanations in order to complete the form correctly are provided with this guide. Kindly read and take note of the following directions to avoid mistakes and unnecessary complaints.

Thank you for your support!

1. Introduction

a) Preferential Origin

As EU supplier you can document the preferential origin of your products either with a single or a long-term supplier's declaration according to the customs codex of the union. In general we ask for single declarations. For products which we receive on a regular basis we ask for long-term declarations once a year. Long-term declarations are used to cover a specific time period. The longest possible time span is two years, starting with the issue date of the declaration. In case the long-term declaration is issued retroactively it is only possible to do so for deliveries which took place during the period of one year backwards from the issue date of the declaration. For deliveries which took place more than one year in the past it is only possible to issue single declarations.

The wording of the declaration is dictated by law and may not be altered or added to. Please take note that you are obliged to notify MAN Energy Solutions SE immediately about any changes. The creation of the declarations is done without involvement of the customs authorities. You are responsible for the correctness of your statements to MAN Energy Solutions SE, customs authorities and the responsible chamber of commerce. Kindly note the advice about consequences of false origin documentation below.

b) Non-preferential origin

As EU supplier you can use our form to document the non-preferential origin of your goods as well. If that is not possible we kindly ask you to provide a certificate of origin or a special supplier's declaration for non-preferential origin. The information on the non-preferential origin according to articles 60 f of the unions customs codex are used for multiple purposes in international trade. Therefore we ask you to provide this information in any case even if no preferential origin can be declared.

c) Number in the combined nomenclature (statistical product number)

The statistical product number is an unequivocal codification of the products that are essential for foreign trade transactions. The statistical product number is based on the „combined nomenclature“ of the EU. It is standard throughout EU. It corresponds to the “customs tariff number” (code number) of the Common Customs Tariff. In addition to the information on product origin, please also send us the 8 digit statistical product number for each of your products.

d) Advice on the consequences of providing incorrect details

The details we require from you are highly relevant in legal terms. Incorrect details may trigger consequences under civil law, criminal law and the law of administrative fines. Please therefore ensure that you prepare the documents with the greatest of care and subject them to thorough legal examination. An invalid supplier's declaration may for example have the following consequences:

- Withdrawal of preferential proofs issued, causing the subsequent levy of customs duty on the exported products in the country of import
- Civil claims against the issuer of the incorrect long-term supplier's declaration, for example owing to the subsequent levy of customs duty in the country of import
- Punishment as a tax irregularity according to § 379 of the Abgabenordnung (AO) [German Fiscal Code], aiding and abetting tax evasion (§ 378 AO) or as a tax offence through aiding and abetting tax evasion (§ 370 AO).

If you have and doubts or queries about your details, please contact your local tax authority or chamber of trade and industry.

2 Single/Longterm – suppliers declaration



Date: 12.12.2017
 Order Reference:
 Supplier ID: 2150127
 E-mail: gle-wup@mandieselturbo.com
 LTVD number: 300000036 / AU_EU_MDT1 / 2018

**Long-term supplier's declaration for products having preferential origin status
 DECLARATION**

I, the undersigned, declare that the goods described below - see part list - which are regularly supplied to MAN Diesel & Turbo SE originate in the European Community / European Union / EEA or in the country stated in the list of materials and satisfy the rules of origin governing preferential trade with:

- EUMED: Faroe Islands (FO), Israel (IL), Tunisia (TN), Morocco (MA), Algeria (DZ), Lebanon (LB), Jordan (JO), Egypt (EG), Palestine (PS)
- EUPAN: Norway (NO), Liechtenstein (LI), Iceland (IS), Switzerland (CH), Turkey (TR)
- EUSAP: Serbia (RS), Macedonia (MK), Montenegro (ME), Bosnia and Herzegovina (BA), Albania (AL), Kosovo (XK)
- EUWO1: El Salvador (SV), Panama (PA), Nicaragua (NI), Honduras (HN), Guatemala (GT), Costa Rica (CR), Chile (CL), Mexico (MX), South Africa (ZA), Swaziland (SZ), Namibia (NA), Mozambique (MZ), Lesotho (LS), Botswana (BW)
- EUWO2: St. Vincent and the Grenadines (VC), Trinidad and Tobago (TT), Suriname (SR), St. Lucia (LC), Saint Kitts and Nevis (KN), Jamaica (JM), Guyana (GY), Grenada (GD), Dominican Republic (DO), Dominica (DM), Belize (BZ), Bahamas (BS), Barbados (BB), Antigua and Barbuda (AG), Antigua and Barbuda (XL), Antigua and Barbuda (XC), Zimbabwe (ZW), Seychelles (SC), Mauritius (MU), Madagascar (MG), Georgia (GE), Moldova (MD), Ukraine (UA), Papua New Guinea (PG), Fiji (FJ)
- EUWO3: Peru (PE), Colombia (CO), Ecuador (EC), South Korea (KR)
- EUWO4: Canada (CA)

I declare that:

1 Cumulation applied with
 (Name of country / countries)

No cumulation applied

This declaration is valid for all shipments of these products dispatched from 01.01.2018 to 31.12.2018 .

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I undertake to inform MAN Diesel & Turbo SE immediately if this declaration is no longer valid. I undertake to make available to the customs authorities any further supporting documents they require.

2 Company name + address:

Name:

Position in the company:

E-Mail:


Phone:

Place:

Date:

This declaration was created electronically and is valid according to Article 63 Par. 3 CIR (EU) 2015/2447 without signature. The declarant commits himself to taking over all liabilities for the correctness of this declaration.

Default Values for Mass Maintenance:



3	Commodity Code (*)	COO (**)	Preference (Yes/No)	Exclusion of agreements	List No.	ECCN EAR99	Act.
			v				<input type="checkbox"/>

Part List:

	Material Description	Material number	Material number supplier	Commodity Code	COO (**)	Preference (Yes/No)	Exclusion of agreements	List No.	ECCN EAR99	US-Content in EUR	Akt.
1			4	5	6	7	8		9	0	x 10

Explanation:

1. Please state if a cumulation was applied in order to achieve the origin status
2. Check if your contact data is correct and fill out the red marked lines
3. The form is able to prefill all lines at once with information filled-in here. In case that single items have different origin attributes it is necessary to change these items in below list. Mandatory fields are "COO" and "Preference Yes/No". IMPORTANT – The arrow indicates that the "Active" column has to be completed for the mass maintenance too in order for the data to be saved correctly in the part list.
4. State your material number here
5. Check and correct the commodity code here if necessary
6. Fill in the country of origin (verified according to articles 60 and 61 of the unions customs codes). Please state the specific country, stating "EU" only is not enough. (mandatory field)
7. Indicate the preference status of the material according to the country groups on page one (mandatory field)
8. To exclude one country from positive preference it is necessary to state the group name. E.g. EUMED, EUSAP – to set both zones to negative preference. If you enter multiple group names they have to be separated by comma and space.
9. Enter information on the material in case it is export control classification relevant or in case of US material
10. In order to send back partially completed forms it is possible to de-activate lines. In case a line is set to active all mandatory fields have to be completed (COO and Preference Yes/No). A de-activated line can be left empty
11. For longterm declarations, the validity period is printed here

3 Explanations regarding point 9

1) Dual-Use / AL-Number

Using the product number of your products, you can determine, using the correlation list, whether they are relevant for the export list:

(▶ <http://www.ausfuhrkontrolle.info/ausfuhrkontrolle/de/queterlisten/umschluesselungsverzeichnis/index.html>)

If there are entered, make a detailed check in the export list under list number:

(▶ <http://www.ausfuhrkontrolle.info/ausfuhrkontrolle/de/queterlisten/ausfuhrliste/index.html>)

If the description there and the specification match your product, please enter the export list number in the corresponding field of our form.

2) ECCN / EAR99

a) Creating the ECCN and classification with respect to EAR99

- The Export Control Classification Number (ECCN) is a five digit alphanumeric code, which identifies products that are listed on the American Commerce Control List, CCL.
- The CCL consists of ten categories (0-9) and five groups (A-E). Their designations correspond to Part I Section C of the German export list or the product list in Annex I of EC Regulation 1334/2008.
- For example: Under ECCN 3A001, the first digit („3“) refers to the relevant category (in this case: General Electronics), the second digit („A“) refers to the group (in this case: systems, equipment and components). The last three digits (001) stand for the reason for checking (in this case: national security).
- The content of the American list does not entirely match the German one. As a result, list items known in a German or European context cannot simply be “translated“ into American.
- EAR99 classifies products that are subject to the EAR, but are not listed in the CCL, or are they checked by another US authority. An example involves low technology products, for example simple office materials, perfumes, toys et al. most US products fall within the EAR99 category.
- A number of different options can be used to help obtain correct ECCNs:
 - Information from the US manufacturer or developer
 - Our own internal classification which uses the alphanumeric lists of the Commerce Control List
 - Formal classification request to the BIS
 - Commodity Classification Website Solicitation of the BIS (connecting site to companies)

a) Manufacturers' websites

- Many American suppliers (such as Microsoft) offer their product classifications online for information purposes. However, this online information is not legally binding. In some cases, it is difficult to determine the classification despite the email assistance offered.
- If a German company uses information from the supplier that subsequently proves to be incorrect, the German company is responsible, even if it based its export calculation on such information in good faith. Nevertheless, a routine inquiry to the supplier at least provides an indication of the possible classification.